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Convention on the Elimination of All Forms of Discrimination against Women

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Ways and means of expediting the work of the Committee

Report by the Secretariat

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* CEDAW/C/2000/I/1.

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I. Introduction

1. The present report addresses a number of issues relevant to the Committee on the Elimination of Discrimination against Women. These include:

(a) Relevant issues considered at the eleventh meeting of persons chairing the human rights treaty bodies, held at Geneva from 31 May to 4 June 1999;

(b) Relevant recommendations of the Subcommission on the Promotion and Protection of Human Rights;

(c) Relevant decisions of the fifty-fourth session of the General Assembly;

(d) Information on the Human Rights Committee's revised reporting guidelines.

2. A list of States parties whose reports are more than five years overdue is contained in annex I. As requested by the Committee at earlier sessions, the report also contains a list of States parties whose reports are to be considered in order of receipt, taking into account geographical balance (see annex II).

3. Information on efforts by the Special Adviser on Gender Issues and Advancement of Women and the Division for the Advancement of Women with regard to universal ratification, timely reporting and acceptance of the amendment of article 20.1 of the Convention, in accordance with suggestion 21/1 adopted by the Committee at its twenty-first session, is included in the report. A list of those States parties which have accepted the amendment is contained in annex III.

II. Eleventh meeting of the chairpersons of human rights treaty bodies

4. Among the recommendations adopted by the meeting of the chairpersons of human rights treaty bodies relevant to the work of the Committee on the Elimination of Discrimination against Women were those directed at enhancing the cooperation between treaty bodies and human rights special procedures. It recommended the institutionalization of a system for drawing the attention of the different special procedures to the work of treaty bodies relevant to their work, including observations on the reports and views of States parties on individual cases. The chairpersons also encouraged the treaty bodies to call, as they feel necessary, for the cooperation of the special procedures, including the direct exchange of information, during their sessions and recommended that a full day of joint meetings be convened between the chairpersons and the special procedures at the twelfth meeting in 2000.

5. The chairpersons considered the possibility that sessions of treaty bodies might be held in locations other than their usual sites so that they could be made more visible in regions where they might not be well known, so that they could be accessible to some States that might not have representation at their normal sites, and to facilitate reporting by small States that might not otherwise be in a position to attend sessions of treaty bodies. The chairpersons agreed that it would be useful to establish an ad hoc joint working group of designated members of treaty bodies to explore the possibility of drafting common guidelines for reports of States parties with regard to common provisions contained in several human rights treaties and called on the Office of the High Commissioner for Human Rights to take steps to organize meetings of such a working group.

III. The Subcommission on the Promotion and Protection of Human Rights

6. At its fifty-first session, the Subcommission on the Promotion and Protection of Human Rights adopted a number of decisions and resolutions of relevance to the Committee on the Elimination of Discrimination against Women. In its resolution 1999/13 on traditional practices affecting the health of women and the girl child, the Subcommission took note of the third report on the situation regarding the elimination of traditional practices affecting the health of women and the girl child submitted by the Special Rapporteur on this issue[1] and expressed concern at the absence of information on harmful traditional practices, in particular practices other than female genital mutilation, and on measures taken to eradicate them. It appealed to States to intensify efforts to develop awareness of and mobilize national opinion concerning the harmful effects of female genital mutilation, particularly through education, information and training and requested all non-governmental organizations dealing with women's issues to devote part of their activities to the study of these practices and ways and means of eradicating them. It called on all Governments to implement the Plan of Action adopted by the Subcommission on the elimination of harmful traditional practices[2] and proposed that three seminars should be held in Africa, Asia and Europe to review progress in, and obstacles to, the implementation of the Plan of Action.

7. In its resolution 1999/15 on women and the right to development, the Subcommission affirmed that discrimination faced by women with respect to acquiring and securing land, property and housing, as well as financing for land, property and housing constituted a violation of women's human rights to equality, protection against discrimination and to the equal enjoyment of the right to an adequate standard of living, including adequate housing. It urged Governments to comply fully with all of their international and regional obligations and commitments concerning women's economic rights and to promote the education of women, including as to their rights. It also urged Governments to take all necessary measures to amend and/or repeal laws and policies which inhibit women's economic rights and their right to development, in particular those pertaining to land, property and housing and recommended that Governments, international financial institutions, local lending agents, housing and finance institutions and other credit facilities review their policies and eliminate those which discriminate against women. It called upon the international trade, investment and financial institutions to take fully into account the human rights implications for women of their policies. The Subcommission welcomed the invitation made by the Committee on the Elimination of Discrimination against Women to the World Bank and the International Monetary Fund to submit to it an analysis of the impact of their policies on respect for women's fundamental rights. It also invited the Committee to pay special attention to women's economic rights, including the rights to land, property and an adequate standard of living, including adequate housing, when examining States parties' reports, and to explore the possibility of adopting a general recommendation on that theme as it related *inter alia* to the provisions of article 14 of the Convention, with a view to clarifying the obligations of States parties to the Convention in this respect.

8. Resolution 1999/17, adopted on the basis of the report of the Working Group on Contemporary Forms of Slavery on its twenty-fourth session[3] and the recommendations contained therein, concerns traffic in persons, and exploitation of prostitution of others, prevention of the trans-border traffic in children in all its forms and similar practices. The resolution recommends, *inter alia*, that the Committee on the Elimination of Discrimination against Women give particular attention to the implementation of article 6 in considering

reports of States parties and include in its guidelines an item concerning contemporary forms of slavery.

9. In its resolution 1999/27 on reservations to human rights treaties, the Subcommission took note of the concerns about reservations expressed by the Committee on the Elimination of Discrimination against Women and the report of the Secretary-General on the views of the six human rights treaty bodies on the Preliminary Conclusions of the International Law Commission.[4] Welcoming the continuing cooperation between the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women and the Subcommission, it took note of the working paper submitted by Ms. Françoise Hampson[5] and decided to appoint her Special Rapporteur with the task of preparing a comprehensive study on the issue of reservations to human rights treaties. It also requested her to seek the advice and cooperation of all treaty bodies in this regard.

IV. Efforts to encourage universal ratification of the Convention and acceptance of the amendment to article 20 (1)

10. Paragraph 230 of the Beijing Platform for Action[6] urged Governments to ratify or accede to the Convention so that universal ratification could be achieved by the year 2000. In order to assist States to accelerate their actions towards ratification or accession, letters have been sent to those Governments which are not States parties to the Convention (see annex IV) by the Secretary-General and by the Special Adviser to the Secretary-General on Gender Issues and Advancement of Women.

11. On 15 October 1999, during the fifty-fourth session of the General Assembly, the Special Adviser convened a meeting of States which were not party to the Convention. Both the Special Adviser and the Chairperson of the Committee on the Elimination of Discrimination against Women offered to provide information or assistance in respect of ratification. Representatives of specialized agencies and other bodies of the United Nations, including the United Nations Children's Fund and the United Nations Development Fund for Women, also participated in the meeting. Following the meeting, the Special Adviser wrote to States that were not party to the Convention encouraging them to seek technical assistance in this regard. The Special Adviser had discussions with States that were not party to the Convention during the Sixth African Regional Conference on Women to assess progress in the implementation of the Beijing and Dakar Platforms for Action, held from 22 to 26 November 1999 in Addis Ababa. The Special Adviser convened a meeting similar to the one held in New York for six Member States at the Arab conference on integrated regional follow-up to the United Nations global conference, held in Beirut, on 30 November 1999. Follow-up letters were sent to the Permanent Representatives of the States concerned and to the individual. Efforts to encourage ratification have also included the participation of the Chief of the Women's Rights Unit, Division for the Advancement of Women, Department of Economic and Social Affairs, in a training course organized by the Training Centre of the International Labour Organization in Turin during December which was attended by representatives of several States which are not party to the Convention.

V. The General Assembly

12. On 6 October, the General Assembly adopted resolution 54/4 on the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. The Optional Protocol had been drafted by an open-ended working group of the Commission to the Assembly, through the Economic and Social Council. The Optional Protocol was opened for signature in a signing ceremony on 10 December, Human Rights Day. Twenty-three States signed the instrument that day. The Optional Protocol will enter into force three months after the tenth instrument of ratification has been deposited with the Secretary-General.

13. Other resolutions adopted by the General Assembly at its fifty-fourth session of particular relevance to the Committee on the Elimination of Discrimination against Women included resolution 54/133 of 17 December on traditional or customary practices affecting the health of women and girls, which recalled the Committee's general recommendation 14 concerning female circumcision and paragraphs 15 (d) and 18 of general recommendation 24 concerning article 12 of the Convention on women and health. The resolution called on States, *inter alia*, to ratify the Convention and to respect and implement fully their obligations and include in their reports specific information on measures taken to eliminate traditional or customary practices affecting the health of women and girls, including female genital mutilation. In its resolution 54/134 of 17 December, the Assembly decided to designate 25 November as the International Day for the Elimination of Violence against Women, while in its resolution 54/138 of 17 December on violence against women migrant workers it *inter alia* encouraged the Committee on the Elimination of Discrimination against Women to consider developing a general recommendation on the situation of women migrant workers.

14. In its resolution 54/137 of 17 December on the Convention on the Elimination of All Forms of Discrimination against Women, the General Assembly expressed concern at the great number of reports that were overdue and continued to be overdue, in particular initial reports, and urged States that had not yet ratified or acceded to the Convention to do so as soon as possible so that universal ratification of the Convention could be achieved by the year 2000. It noted that some States parties had modified or withdrawn their reservations and urged States to limit the extent of any reservations they lodged to the Convention, to formulate any reservations as precisely and narrowly as possible to ensure that no reservations were incompatible with the object and purpose of the Convention or otherwise incompatible with international treaty law, to review their reservations regularly with a view to withdrawing them and to withdraw those that were contrary to the object and purpose of the Convention or otherwise incompatible with international treaty law. The resolution urged States parties to make every possible effort to submit their reports on the implementation of the Convention in accordance with article 18 and with the Committee's guidelines and to cooperate fully with the Committee in the presentation of their reports. It invited Governments, agencies and organizations of the United Nations system as well as intergovernmental and non-governmental organizations to disseminate the Convention and its optional protocol and encouraged all relevant entities of the United Nations system, within their mandates, to continue to assist, upon their request, States parties in implementing the Convention and, in this regard, to pay attention to the concluding comments and general recommendations of the Committee. It encouraged all relevant parts of the United Nations system to continue building women's knowledge and understanding of and capacity to utilize human rights instruments, in particular the Convention and its optional protocol, and welcomed the submission of reports by the specialized agencies to

the Committee and the contribution of non-governmental organizations to the Committee's work.

VI. The Human Rights Committee's revised guidelines for reports of States parties

15. At its sixty-sixth session, the Human Rights Committee adopted revised guidelines for the preparation of initial and all subsequent periodic reports effective for all reports presented after 31 December 1999.[7] The guidelines provide that the terms of the articles of the International Covenant on Civil and Political Rights must, together with general comments issued by the Committee on any such article, be taken into account in preparing the report. Any reservation to or declaration as to any article of the Covenant by the State party should be explained and its continued maintenance justified. Factors and difficulties, if any, affecting the implementation of the treaty should be indicated, the nature and extent of and reasons for every such factor and difficulty should be explained and details of the steps being taken to overcome them should be given. Sufficient data and statistics to enable the Committee to assess progress in the enjoyment of Covenant rights relevant to any appropriate article should be included to enable the Committee to assess progress in the enjoyment of rights, and the situation regarding the equal enjoyment of rights by men and women should be specifically addressed.

16. Initial reports should establish the constitutional and legal framework for the implementation of rights, explain the legal and practical measures adopted to give effect to Covenant rights and demonstrate the progress made in ensuring enjoyment of rights by people within the State party and subject to its jurisdiction. While legal norms with regard to every article should be described, so should the factual situation and the practical availability, effect and implementation of remedies for violation of rights. Initial reports should indicate whether the Covenant is incorporated into domestic law in such a manner as to be directly applicable or whether its provisions can be invoked before and given effect to by courts, tribunals and administrative authorities. Reports should indicate whether Covenant rights must be enacted or reflected in domestic law by legislation so as to be enforceable. Information should be given about the judicial, administrative and other competent authorities having jurisdiction to secure rights and include information about any national or official institution or machinery which exercises responsibility in implementing rights or in responding to complaints of violations, with examples of activities in this respect being required. Reports should be accompanied by copies of the relevant principal constitutional, legislative and other texts which guarantee and provide remedies in relation to rights. These texts will not be copied or translated, but will be made available to members of the Committee.

17. The revised guidelines provide that there should be two starting points for periodic reports: (a) the concluding observations on the previous report and summary records of the Committee's consideration and (b) an examination by the State party of the progress made towards and the current situation concerning the enjoyment of rights by persons within its territory or jurisdiction. Fundamental changes in the State party's political and legal approach affecting Covenant rights may have occurred, in which case a full article-by-article report may be required and new legal or administrative measures which have been introduced may merit the annexing of texts and judicial or other decisions.

18. In cases where the State party has ratified the first Optional Protocol and the Committee has issued views in relation to a communication received under that Protocol,

a report should include information about the steps taken to provide a remedy or meet such concern and to ensure that any circumstance thus criticized does not recur.

19. The revised guidelines also address the Committee's consideration of reports, including the composition of the State party's delegation, and establish cut-off dates with regard to the submission of material updating reports.

VII. Reports to be considered at the twenty-third, twenty-fourth and twenty-fifth sessions of the Committee

20. At its seventeenth session, the Committee adopted decision 17/II, in which it decided that the maximum number of reports to be considered at each session would normally be eight, drawn from a proposed list of up to 10 countries. At its twenty-first session, the Committee proposed a list for its twenty-third session: Lithuania, Maldives, Republic of Moldova (initial reports); Netherlands (second periodic report); Iraq (second and third periodic reports); Austria (third and fourth periodic reports); and Cuba and Romania (fourth periodic reports). Four States parties have agreed to present periodic reports: Austria, Cuba, Iraq and Romania. In confirming the list of those States parties presenting initial reports, the Committee may wish to take account of the fact that the initial reports of Cameroon and Singapore have been received.

21. In drawing up the list of reports of States parties to be considered at its twenty-fourth and twenty-fifth sessions, the Committee may wish to take account of annex II, which draws attention to the reports that have been submitted but have not been considered by the Committee, including those which have been translated and reproduced and are available in the official languages of the United Nations.

Notes

[1] E/CN.4/Sub.2/1999/14.

[2] E/CN.4/Sub.2/1994/10/Add.1 and Corr.1.

[3] E/CN.4/Sub.2/1997/17 and Corr.1.

[4] E/CN.4/Sub.2/1998/25.

[5] E/CN.4/Sub.2/1999/28 and Corr.1.

[6] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[7] CCPR/C/66/GUI/Rev.1.

Annex I

States parties whose reports are more than five years overdue

State party	Date due
A. Initial reports	
Angola	17 October 1987
Bahamas	5 November 1994
Benin	11 April 1993
Bhutan	30 September 1982
Bosnia and Herzegovina	1 October 1994
Brazil	2 March 1985
Burundi	7 February 1993
Cambodia	14 November 1993
Cape Verde	3 September 1982
Central African Republic	21 July 1992
Congo	25 August 1983
Costa Rica	4 May 1987
Dominica	3 September 1982
Estonia	20 November 1992
Gambia	16 May 1994
Grenada	29 September 1991
Guinea	8 September 1983
Guinea-Bissau	22 September 1986
Haiti	3 September 1982
Lao People's Democratic Republic	13 September 1982
Latvia	14 May 1993
Liberia	16 August 1985
Malta	7 April 1992
Saint Kitts and Nevis	25 May 1986
Saint Lucia	7 November 1983
Samoa	25 October 1993
Seychelles	4 June 1993
Sierra Leone	11 December 1989
Suriname	31 March 1994
Tajikistan	25 October 1994
Togo	26 October 1984
Trinidad and Tobago	11 February 1991

State party	Date due
B. Second periodic reports	
Angola	17 October 1991
Bhutan	30 September 1986
Brazil	2 March 1989
Cape Verde	3 September 1982
Congo	25 August 1987
Costa Rica	4 May 1991
Dominica	3 September 1986
Gabon	20 February 1988
Guinea	8 September 1987
Guinea-Bissau	22 September 1990
Haiti	3 September 1986
Lao People's Democratic Republic	13 September 1986
Liberia	16 August 1989
Madagascar	16 April 1994
Malawi	11 April 1992
Mali	10 October 1990
Saint Kitts and Nevis	25 May 1990
Saint Lucia	7 November 1987
Sierra Leone	11 December 1993
Togo	26 October 1988
C. Third periodic reports	
Bhutan	30 September 1990
Brazil	2 March 1993
Cape Verde	3 September 1990
Congo	25 August 1991
Cyprus	22 August 1994
Dominica	3 September 1990
El Salvador	18 September 1990
Gabon	20 February 1992
Guatemala	11 September 1991
Guinea	8 September 1991
Guinea-Bissau	22 September 1994
Guyana	3 September 1990
Haiti	3 September 1990
Kenya	8 April 1993
Lao People's Democratic Republic	13 September 1990

State party	Date due
Liberia	16 August 1993
Mali	10 October 1994
Mauritius	8 August 1993
Saint Kitts and Nevis	25 May 1994
Saint Lucia	7 November 1991
Senegal	7 March 1994
Sri Lanka	4 November 1990
Togo	26 October 1992
Tunisia	20 October 1994
Uganda	21 August 1994
Viet Nam	19 March 1991
D. Fourth periodic reports	
Belarus	3 September 1994
Bhutan	30 September 1994
Cape Verde	3 September 1994
Dominica	3 September 1994
Ecuador	9 December 1994
Egypt	18 October 1994
El Salvador	18 September 1994
Ethiopia	10 October 1994
Guyana	3 September 1994
Haiti	3 September 1994
Hungary	3 September 1994
Lao People's Democratic Republic	13 September 1994
Panama	28 November 1994
Poland	3 September 1994
Rwanda	3 September 1994
Saint Vincent and the Grenadines	3 September 1994
Uruguay	8 November 1994

Annex II

States parties whose reports have been submitted but have not yet been considered by the Committee

State party	Date due	Date received	Document symbol
A. Initial reports			
Cameroon	22 September 1995	9 May 1999	CEDAW/C/CMR/1
Lithuania[a,b]	17 February 1995	4 June 1998	CEDAW/C/LTU/1
Maldives[b]	1 July 1994	28 January 1999	CEDAW/C/MDV/1
Republic of Moldova[b]	3 July 1995	26 October 1998	CEDAW/C/MDA/1
Singapore	4 November 1996	1 December 1999	CEDAW/C/SGP/1
B. Second periodic reports			
Equatorial Guinea[a]	22 November 1989	6 January 1994	CEDAW/C/GNQ/2-3
Guyana	3 September 1986	20 September 1999	CEDAW/C/GUY/2
Iraq[b]	12 September 1991	13 October 1998	CEDAW/C/IRQ/2-3
Jamaica	18 November 1989	17 February 1998	CEDAW/C/JAM/2-4
Libyan Arab Jamahiriya	15 June 1994	14 December 1998	CEDAW/C/LBY/2
Netherlands	22 August 1996	10 December 1998	CEDAW/C/NET CEDAW/C/NET/2/Add. 1 and 2
Slovenia	5 August 1999	26 April 1999	CEDAW/C/SVN/2
Uruguay	8 November 1986	3 February 1998	CEDAW/C/URY/2-3
Viet Nam	19 March 1987	February 1999	CEDAW/C/VNM/2
C. Third periodic reports			
Austria[a,b]	30 April 1991	25 April 1997	CEDAW/C/AUT/3-4
Belgium	9 August 1994	29 October 1998	CEDAW/C/BEL/3-4
Egypt	18 October 1990	30 January 1996	CEDAW/C/EGY/3
Equatorial Guinea[a]	22 November 1993	6 January 1994	CEDAW/C/GNQ/2-3
Finland	4 October 1995	28 January 1997	CEDAW/C/FIN/3
France	13 January 1993	5 October 1999	CEDAW/C/FRA/3
Iceland	3 July 1994	15 July 1998	CEDAW/C/ICE/3-4
Iraq[b]	12 September 1995	13 October 1998	CEDAW/C/IRQ/2-3
Jamaica	18 November 1993	17 February 1998	CEDAW/C/JAM/2-4
Mongolia	3 September 1990	8 December 1998	CEDAW/C/MNG/3-4
Sri Lanka	4 November 1990	7 October 1999	CEDAW/C/LKA/3-4
Uruguay	8 November 1990	3 February 1998	CEDAW/C/URY/2-3
Yugoslavia	28 March 1991	14 October 1998	CEDAW/C/YUG/3
Zambia	21 July 1994	12 August 1999	CEDAW/C/ZAM/3-4

State party	Date due	Date received	Document symbol
D. Fourth periodic reports			
Austria[a,b]	30 April 1995	25 April 1997	CEDAW/C/AUT/3-4
Belgium	9 August 1994	29 October 1998	CEDAW/C/BEL/3-4
Cuba[b]	3 September 1994	27 September 1999	CEDAW/C/CUB/4
Denmark[a]	21 May 1996	9 January 1997	CEDAW/C/DEN/4
Finland	4 October 1999	23 November 1999	CEDAW/C/FIN/4
Iceland	3 July 1998	15 July 1998	CEDAW/C/ICE/3-4
Jamaica	18 November 1997	17 February 1998	CEDAW/C/JAM/2-4
Japan	25 July 1998	24 July 1998	CEDAW/C/JPN/4
Mongolia	3 September 1994	8 December 1998	CEDAW/C/MNG/3-4
Nicaragua	26 November 1994	16 June 1998	CEDAW/C/NIC/4
Romania[b]	6 February 1995	10 December 1998	CEDAW/C/ROM/4-5
Sri Lanka	4 November 1994	7 October 1999	CEDAW/C/LKA/3-4
Ukraine	3 September 1998	2 August 1999	CEDAW/C/UKR/4-5
Sweden[a,b]	3 September 1994	21 May 1996	CEDAW/C/SWE/4
Zambia	21 July 1998	12 August 1999	CEDAW/C/ZAM/3-4
E. Fifth periodic reports			
Austria[b]	30 April 1999	20 September 1999	CEDAW/C/AUT/5
Nicaragua	29 November 1998	2 September 1999	CEDAW/C/NIC/5
Romania	6 February 1995	10 December 1998	CEDAW/C/ROM/4-5
Russian Federation	3 September 1998	3 March 1999	CEDAW/C/USR/5
Ukraine	3 September 1998	2 August 1999	CEDAW/C/UKR/4-5

[a] Report has been translated, reproduced and made available in all official languages.

[b] Report to be considered by the Committee at its twenty-third session, to be held in New York in January 2000.

Annex III

States parties that have deposited with the Secretary-General instruments of the acceptance of the amendment to article 20, paragraph 1, of the Convention

States parties	Acceptance date
Australia	4 June 1998
Brazil	5 March 1997
Canada	3 November 1997
Chile	8 May 1998
Denmark	12 March 1996
Finland	18 March 1996
France	8 August 1997
Guatemala	3 June 1999
Italy	31 May 1996
Liechtenstein	15 April 1997
Madagascar	19 July 1996
Malta	5 March 1997
Mexico	16 September 1996
Mongolia	19 December 1997
Netherlands	10 December 1997[a]
New Zealand	26 September 1996
Norway	29 March 1996
Republic of Korea	12 August 1996
Panama	5 November 1996
Sweden	17 July 1996
Switzerland	2 December 1997
Turkey	9 December 1999
United Kingdom	19 November 1997[b]

[a] For the Kingdom in Europe, the Netherlands Antilles and Aruba.

[b] For the United Kingdom of Great Britain and Northern Ireland, the Isle of Man, the British Virgin Islands, and the Turks and Caicos Islands.

Annex IV

States that have not ratified or acceded to the Convention

Africa	Mauritania
	Sao Tome and Principe
	Somalia
	Sudan
	Swaziland
Asia and the Pacific	Afghanistan
	Brunei Darussalam
	Democratic People's Republic of Korea
	Iran (Islamic Republic of)
	Kiribati
	Marshall Islands
	Micronesia (Federated States of)
	Nauru
	Palau
	Tonga
Western Asia	Bahrain
	Oman
	Qatar
	Saudi Arabia
	United Arab Emirates
Western Europe and Other	Monaco
	San Marino
	United States of America
	Holy See